REMARKS

Claims 16-34 are pending. Claims 16, 25 and 34 are independent.

Applicant canceled claim 34.

The examiner uses Broadwin, Eyer and Williams to reject claims 16-34 as having been obvious.

Claims 1 and 25, as amended, recite "a user memory to store said future programming information, where said memory is repeatedly updated by said displayable single data stream," or similar language. Broadwin, Eyer and Williams fail to teach or suggest this claim feature whether taken separately or in combination.

Applicant's displayable single data stream consists of displayable indicia pre-associated with commands at a head end and provided as a part of the future programming information. Broadwin, for example, uses a data stream and a still image:

> (T)he video delivery system provides or broadcasts one or more audio/video channels each comprising video content. The video delivery system also provides or broadcasts at least one still image channel comprising a plurality of still video images, preferably MPEG-2 compressed still images. One or more of the audio/video channels comprise AVI (audio video interactive) signals which include an audiovisual data stream as well as interactive program content. [Broadwin, col. 2, lines 40-47]

This is very different from applicant's displayable single data stream having embedded displayable indicia pre-associated with commands.

Eyer merely presents standard textual and graphical displays using hypertext markup language (HTML), and no displayable single data stream having embedded displayable indicia pre-associated with commands:

> (A)n apparatus and method are presented for providing textual and graphical displays using hypertext markup language (HTML) for use with a television decoder. [Eyer, col. 4, lines 21-24]

Eyer's HTML stream is very different from applicant's displayable single data stream having embedded displayable indicia pre-associated with commands.

Williams is a broadcast data distribution system:

> A broadcast data distribution system collects, edits, verifies, formats and distributes real-time (dynamic) and non-real-time (static) data. A central database is maintained and updated continuously. Data in the central database is continuously broadcast to an unlimited number of subscribers, each having receiving apparatus and a local database. [Williams, Abstract]

Williams merely takes data from a number of sources and rebroadcasts the data to any number of subscribers:

> It is therefore an object of this invention to provide a data distribution system which can provide a broad range of data through a one-way broadcast medium to an unlimited number of subscribers at the lowest possible delivery cost. [Williams, col. 2, lines 17-21]

William's has nothing to do with displayable single data stream having embedded displayable indicia pre-associated with commands.

Broadwin, Eyer and Williams fail to teach or suggest, individually, a user memory to store said future programming information, where said memory is repeatedly updated by said displayable single data stream. Combining Broadwin, Eyer and Williams cannot teach or suggest a user memory to store said future programming information, where said memory is repeatedly updated by said displayable single data stream. Accordingly, claims 1 and 25 are not obvious in view of Broadwin, Eyer and Williams.

The examiner uses Harper and Coleman to reject claims 16 and 25 as having been obvious.

As described above, claims 1 and 25, as amended, recite "system displayable indicia are pre-associated with commands at a head end and provided as a part of the future programming information in a displayable single data stream," or similar language. Harper and Coleman fail to teach or suggest this claim feature whether taken separately or in combination.

Harper merely teaches a simulcast:

> While such interactive programming may include a plurality of video signals, the interactive television programming used herein preferably comprises a single standard video and audio television signal with a plurality of additional audio signals and/or graphics data for providing interactivity. The interaction with the subscribers comes primarily by way of selection of one or more linked audio segments from a plurality of audio segments, whereby the selected audio segment(s) are chosen as a function of previous user responses. Interactivity is enhanced through the use of overlaid graphics displays on the video which like the audio responses, also vary according to selections made by the subscriber on the remote device 604. Audio segments are used to provide personalized responses to subscriber selections. The graphics, on the other hand, are used to both query the subscriber, preferably at the beginning of the program, and also to provide personalized graphical messages to subscribers. The interactive television program also comprises control data for controlling an interactive program box controller 178 at the subscriber home. [Harper, col. 5, lines 41-60]

Harper uses triggers to customize the display for a particular user:

> Interactivity is further enhanced in the preferred embodiment through the application of trigger points scattered at various predetermined times throughout the program. The trigger points correspond to times when interactive events are scheduled to take place. These interactive events could be the selection and playing of audio segments or the display of graphics. While the choice of particular audio segments or graphics is still dependent on viewer selections, the viewer selections in response to displayed graphical interrogatory messages are preferably made during a period at the onset of the program or when a viewer first tunes into the program. These viewer selections are then utilized as inputs to macros called up at later times during the program by the controller upon the occurrence of the trigger points, identified to the interactive program box by unique codes embedded in the video signal. Alternatively, there can be an immediate response from local storage such as RAM, FLASH or ROM, external data storage such as CD-ROM, from the composite interactive signal or from a series of audio segments that can be collected from both the signal and storage. [Harper, col. 5, line 61 to col. 6, line 14]

This is very different from applicant's system displayable indicia are pre-associated with commands at a head end and provided as a part of the future programming information in a displayable single data stream.

Coleman merely teaches an interactive television program guide:

> An interactive on-screen visual interface guides a user through a menu of individual events available via an information network while allowing continuity of viewing of the current channel. [Coleman, Abstract]

Coleman fails to teach or suggest applicant's claimed feature:

> The invention is an interactive guide to events which are received from an information network such as a CATV or DBS system. The guide works in conjunction with program data which is provided on the same network on which the programming is available. Additionally, a partial screen guide, or "mini-guide", can be displayed in an overlaid or blended fashion with the current program, thereby making the guide less obtrusive yet still visible. With the present system, an existing program can be reformatted when the program guide is displayed in a partial screen mode, thereby allowing the viewer to continue to view a primary program while also accessing the guide. The guide allows a user to determine the attributes of programming available on different programming services (i.e., channels) while maintaining continuity of viewing with a current primary channel. [Coleman, col. 3, lines 11-26]

Assuming there is a suggestion or motivation to combine Harper and Coleman, and applicant can find none, the resulting system would be triggering a viewing guide. Accordingly, claims 16 and 25 are not obvious in view of Harper and Coleman, whether taken separately or in combination.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above
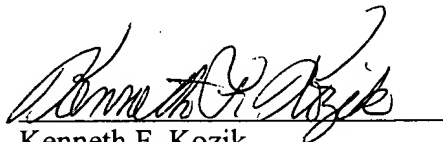
may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Respectfully submitted,

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